UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
2134	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/621,952	TABI, TIMUR
	Examiner	Art Unit	
	JASON K. GEE	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 August 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is response to communication: RCE filed on 08/14/2008.

2.   Claims 1-22 are currently pending in this application.

3.   Claims 1, 9, and 17 are independent claims.

4.   Receipt is acknowledged of a request for continued examination under 37 CFR

1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on

08/14/2008.

5.   No IDS was received for this application.

Response to Arguments

6.   Applicant's arguments with respect to the claims have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

8.   Claims 17-22 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

        As per claims 17-22, the claims are directed toward a computer program product.

However, in the applicant's specification (paragraph 71 of the publication), this

computer program product may be a signal or a wireless communication. Carrier waves

and wireless communication are directed toward non-statutory subject matter, and thus,

the claims are rejected under 101.

Claim Rejections - 35 USC § 112

9.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10.   Claims 1-22 rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had

possession of the claimed invention.

As per claims 1-22, the independent claims recite "in response to receipt of

unshared access to at least a portion of the memory location." Receiving a receipt of

unshared access to a portion of the memory location is not clearly described in the

specification.

11.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12.   Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

As per claims 1-22, the independent claims recite receivign a receipt of unshared

access to at least a portion of the memory location. It is unclear what this receipt may

consist of, and it is also unclear what the term "unshared access" refers to. The claim

recites that a memory location is allocated for shared access, and then later recites a

receipt of unshared access from the same memory location. Further, it is unclear what

the memory is unshared by (other users, applications, systems, etc.). Also, the

independent claims recite "releasing the unshared access." It is unclear what the term

means when the unshared access is "released."

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

14.   Claims 1, 2, 5, 7, 8, 9, 12, 13, 15, 16, 17, 19, 21, and 22 are rejected under 35

U.S.C. 103(a) as being unpatentable over Chiang US Patent Application Publication

2001/0047477 (hereinafter '477), in view of Simon St. Laurent's *Cookies*, 1998,

(hereinafter Laurent), and further in view of Chakraborty et al. US Patent Application

Publication 2004/0107282 (hereinafter Chakra)

15.   Claims 1, 2, 5, 7, 8, 9, 12, 13, 15, 16, 17, 21, and 22 are rejected under 35

U.S.C. 103(a) as being unpatentable over Chiang US Patent Application Publication

2001/0047477 (hereinafter '477), in view of Bennett, III et al. US patent No. 6,154,528

(hereinafter Bennett).

As per claim 1, Chiang teaches generating on a system, a session identification

in response to the authentication to identify a login session for the (paragraph 54, 56,

and Figure 4), allocating, by the system, application independent memory to create a

memory location of the system for shared access by more than one applications of the

system (paragraphs 50 and 51), storing the session identification in the memory

location of the system in response to receipt of unshared access to at least a portion of

the memory location (paragraph 51, 52, 54, and 56), the memory location being

configured to retain the session identification independent of de-allocations of memory

for more than one applications (paragrapsh 50, 54, 55, and 56, wherein cookies are

saved and are used in the future even though the original application is closed), to

authenticate the user for the login session (paragraphs 50, 51, 52, 54, and 56), and

releasing the unshared access to the at least the portion of the memory location in

response to storing the session identification (paragraphs 50, 52, 54, 55, and 56), and

transmitting the session identification from the system to a computer (paragraphs 50,

52, 54, 55, and 56).

However, at the time of the invention, Chiang does not explicitly teach wherein

the session identifications are created and stored on an embedded system. This is

taught throughout Bennett though. Bennett teaches generating session identifications by an embedded system in response to an authentication to identify a login session for the user (col. 2 lines 22-38), storing the session identification in the memory location of the embedded system (col. 2 lines 22-38), the memory location being configured to retain the session identification independent of de-allocations of memory for the more than one applications (col. 4 lines 25-30; 38-50; and 63-65, abstract, wherein cookies saved for future subsequent calls, and still remain even after the original session is terminated), to authenticate the user for the login session (col. 2 lines 22-45), releasing the unshared access to the at least the portion of the memory location in response to storing the session identification (col. 2 lines 25-55; col. 4 lines 1-10), and transmitting the session identification from the embedded system to a computer (Figures 1, 2, and col. 2 lines 25-55).

At the time of the invention, it would have been obvious to combine the Chiang and Bennett references. One of ordinary skill in the art would have been motivated to perform such an addition to overcome the problem of repetitive data entry and create easy ways to store and manage user profiles without requiring service providers to store this information (col. 1 lines 30-55 and col. 2 lines 45-52).

As per claim 2, Chiang teaches further comprising storing additional session information with the session identification to associate the additional session information with the login session (paragraph 52, 55, Figure 3).

As per claim 5, Chiang teaches generating a session identification comprises generating a random number, the random number uniquely identifying the user's login session (paragraph 54)

As per claim 7, Chiang teaches generating a cookie and transmitting the cookie to a web browser utilized by the user (paragraphs 54-56).

As per claim 8, Chiang teaches throughout the reference wherein authenticating the user comprises receiving the session identification from the user and comparing the session identification with session identifications previously stored in the memory location (paragraph 56, and inherent to the teachings of Chiang, as the browser uses the cookie to authenticate itself in lieu of password; also, is shown in the code of Figure 6C and 6D).

Independent claim 9 is rejected using the same basis of arguments used to reject claim 1 above.

Claim 12 is rejected using the same basis of arguments used to reject claim 5 above.

Claim 13 is rejected using the same basis of arguments used to reject claim 2 above.

Claim 15 is rejected using the same basis of arguments used to reject claim 7 above.

Claim 16 is rejected using the same basis of arguments used to reject claim 8 above.

Independent claim 17 is rejected using the same basis of arguments used to

reject claim 1 above.

Claim 21 is rejected using the same basis of arguments used to reject claim 5

above.

Claim 22 is rejected using the same basis of arguments used to reject claim 8

above.

16.   Claim 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang

and Bennett as applied above, and further in view of Simon St. Laurent's *Cookies*,

1998, (hereinafter Laurent).

As per claim 19, the Chiang combination does not explicitly teach all the

limitations of the claims. However, these deficiencies are taught by Laurent. Laurent

teaches on page 22 associating a time indication with the session identification to

facilitate removal of the session identification from the memory location upon expiration

of the login session.

At the time of the invention, it would have been obvious to combine the teachings

of the Chiang combination with the teachings of Laurent. One of ordinary skill in the art

would have been motivated to perform such an addition to be able to continually use the

information provided by the cookie. As already seen in both references, cookies are

created initially so they can be used for authentication in subsequent requests in the

future. This is mentioned by Laurent on page 2, where it recites "Cookies are one key answer to this problem, allowing developers t keep information stowed away between Web page retrievals and create transactions with context.".

17.   Claims 3, 14, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang and Bennett as applied above, and further in view Simon St. Laurent's *Cookies*, 1998, and further in view of Colby US Patent No. 6,625,643 (hereinafter Colby).

As per claim 3, the Chiang combination does not teach all the limitations of the claims. However, these deficiencies are taught by Laurent and Colby. Laurent teaches on page 22 of associating a time indication with the session identification. However, Laurent does not explicitly teach removing the session identification from the memory location after a period of inactivity. This is taught by Colby though, in col. 27 lines 10-20, wherein cookies (which hold session identification information), are deleted after a certain time of inactivity.

At the time of the invention, it would have been obvious to combine the teachings of the Chiang combination with the teachings of Laurent. One of ordinary skill in the art would have been motivated to perform such an addition to be able to continually use the information provided by the cookie. As already seen in both references, cookies are created initially so they can be used for authentication in subsequent requests in the

future. This is mentioned by Laurent on page 2, where it recites "Cookies are one key answer to this problem, allowing developers t keep information stowed away between Web page retrievals and create transactions with context.".

At the time of the invention, it would have been obvious to combine the teachings of Colby with the Chiang combination. One of ordinary skill in the art would be motivated to perform such an addition to free up memory, allowing more importation information to be stored. Also, freeing up memory may cause other programs to work faster as well.

Claim 14 is rejected using the same basis of arguments used to reject claim 3 above.

Claim 18 is rejected using the same basis of arguments used to reject claim 3 above.

Claim 20 is rejected using the same basis of arguments used to reject claim 3 above.

18.   Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang and Bennett, as applied above, and further in view of Wu US Patent Application Publication 2004/0068572 (hereinafter Wu).

As per claim 4, Chiang and Laurent do not explicitly teach locking the memory location while accessing an entry for the session identification in the memory location, but Wu teaches this in paragraphs 73 and 76.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teachings of Wu with Chiang and Laurent. One of ordinary skill in the art would have been motivated to perform such an addition to prevent errors. Paragraph 73 of Wu teaches that locking memory prevents other programs from writing to information when that information is being used. By doing so, session data will not be used incorrectly.

Claim 10 is rejected using the same basis of arguments used to reject claim 4, in which simultaneous access to the memory location by more than one of the individual applications is prevented by utilizing locks in memory.

19.   Claims 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang and Bennett, as applied above, and further in view of Walls US Patent Application Publication 2004/0156378 (hereinafter Walls).

As per claim 6, the Chiang combination does not explicitly teach storing the session identification in a shared memory buffer. However, storing session identifiers in a shared memory buffer is taught by Walls in paragraphs 5 and 42.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teachings of Chiang and Laurent with Walls. One of ordinary skill in the art would have been motivated to perform such an addition to be able to transmit information at a higher efficiency. By storing session identifiers in a shared buffer, communications will go more smoothly and would be easier to manage. Walls is

analogous art, as it deals with the use of session identifiers in communication and is

directed toward smooth communication.

Claim 11 is rejected using the same basis of arguments used to reject claim 6

above.

Conclusion

20.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JASON K. GEE whose telephone number is (571)272-

6431. The examiner can normally be reached on M-F, 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Zand can be reached on (571) 272-38113811. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Business Center (EBC) at 866-217-9197 (toll-free).

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09/02/2008